

Seaward Business Area Migratory Birds and Breeding Birds Awareness Training 2025

Training Overview

- Regulations
 - Federal
 - Provincial
- Nests
- Nest Flow Chart
- Nesting Calendars
- Highlight Species – Pileated Woodpecker
- Case Study



Federal Legislation – *MBCA* and *MBR*

The ***Migratory Birds Convention Act (MBCA)*** and the ***Migratory Birds Regulations (MBR)*** protect migratory birds, their nests and eggs on all land tenures anywhere in Canada and in ocean waters.

- ✓ They apply to native migratory birds named in the convention such as ducks, geese, shorebirds, swallows, flycatchers, woodpeckers, hummingbirds and more.
- × They do not apply to hawks, eagles, falcons, owls, Corvidae (jays, crows, ravens) and grouse.

Federal Legislation – *MBCA* and *MBR*

All migratory bird nests are protected when they contain a live bird or viable egg.

The nests of 18 species listed in Schedule 1 of the MBR are protected at all times.

These nests may only be removed following registration of the nest and confirmation that the nest has been abandoned for the species specific designated waiting period outlined in the schedule.

Schedule 1 of **MBR** – species on the list with the potential for interaction with BCTS operations in the Seaward Business Area

Species	Wait Time (months)	Forestry Activities
Pigeon Guillemot	12	Shoreline sites only
Rhinoceros Auklet	12	Shoreline sites only
Great Blue Heron	24	All forestry activities
Fork-tailed Storm Petrel	12	Shoreline sites only
Pileated Woodpecker	36	All forestry activities

Federal Legislation - SARA

Migratory bird species that are listed as Endangered, Threatened or Extirpated on Schedule 1 of the **Species at Risk Act** (list) may also have year round nest protection if a nest is included in the definition of their residence habitat (SARA s33).

A permit under s73 would be required to remove a nest of these species.

In the Seaward Business Area the only species that meet these criteria are:

- **Barn Swallow**
- **Marbled Murrelet**

✓ **The active and inactive nests of these species are protected.**

Section 34 of the **Wildlife Act** outlines provisions related to birds and their nests.

s34 - A person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys:

- a) A bird or its egg,
- b) The nest of an **eagle, peregrine falcon,** gyrfalcon, **osprey, heron** or burrowing owl, or
- c) The nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg

Bold species may be present in the Seaward Business Area and their nests would be protected if they are active or inactive.

Bird Nests

!!ALL ACTIVE BIRD NESTS ARE PROTECTED!!

Locations: nests can be located in banks or on cliffs, on the ground, in vegetation or trees, within tree cavities and on structures such as buildings or bridges.

Nest types: nests can be built of sticks, moss, grass, hair and other fibers, they can be a scrape or shallow depression on the ground or they can be in a cavity, crevice or burrow into trees, cliffs or banks.

Active nests: evidence of an active nest include an adult perched in the nest, adult birds performing distraction displays, persistent alarm calls, birds carrying food or nesting materials to a location, accumulated droppings or whitewash below a nest. All active nests are protected.

Do not disturb, remove or relocate an active nest.



Inactive Nests

Inactive Nests of the following species that could be found in the Seaward Business Area* have regulatory protection.

Great Blue Heron <i>Wildlife Act</i> Schedule 1 <i>Migratory Birds Regulations</i> 2022	Pileated Woodpecker Schedule 1 <i>Migratory Birds Regulations</i> 2022	Barn Swallow Schedule 1 of <i>Species at Risk Act</i>	Marbled Murrelet Schedule 1 of <i>Species at Risk Act</i>
Bald Eagle <i>Wildlife Act</i>	Golden Eagle <i>Wildlife Act</i>	Peregrine Falcon <i>Wildlife Act</i>	Osprey <i>Wildlife Act</i>

*Species on Schedule 1 of the *Migratory Birds Regulations* that nest at shoreline sites only have not been included as potential impacts are limited to specific development activities such as log dumps and barge ramps, not general forestry activities.



Osprey



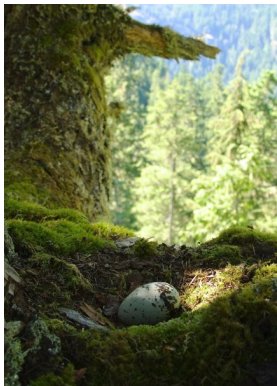
Bald Eagle



Golden Eagle



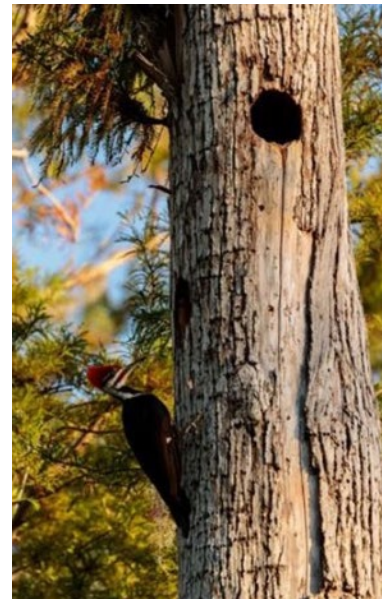
Barn Swallow



Marbled Murrelet



Peregrine Falcon



Pileated Woodpecker

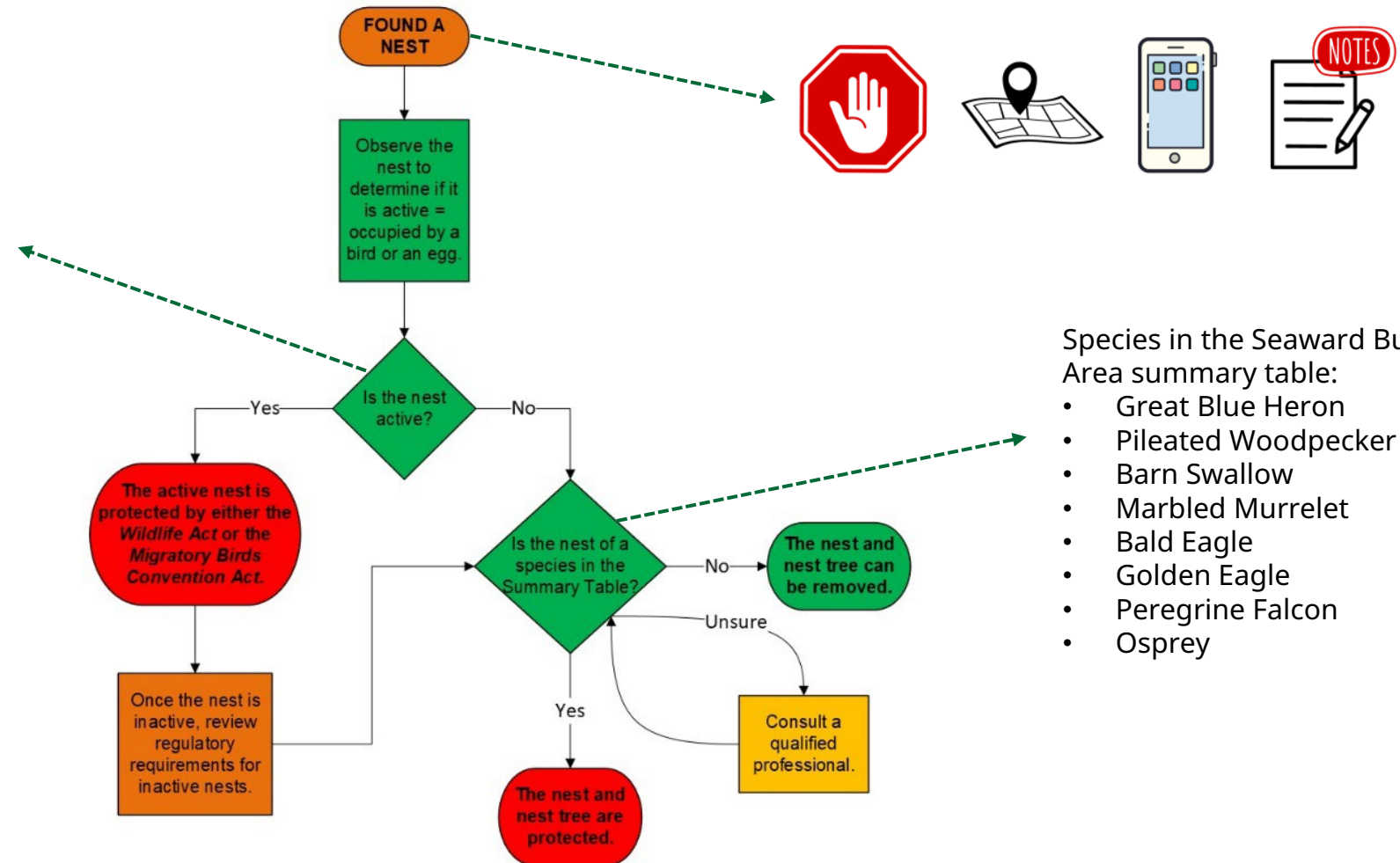


Great Blue Heron

Nest Flow Chart

Signs that a nest is **active**:

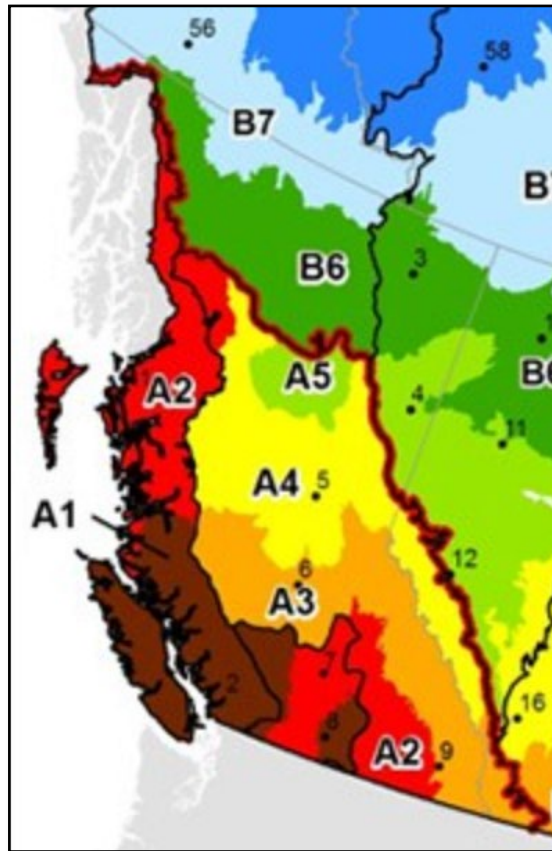
- Adult bird perched in the nest
- Adult birds performing distraction displays
- Persistent alarm calls
- Birds carrying food or nesting materials to a location
- Cheeping sounds coming from young birds in a nest or tree cavity
- Accumulated droppings or whitewash below a nest



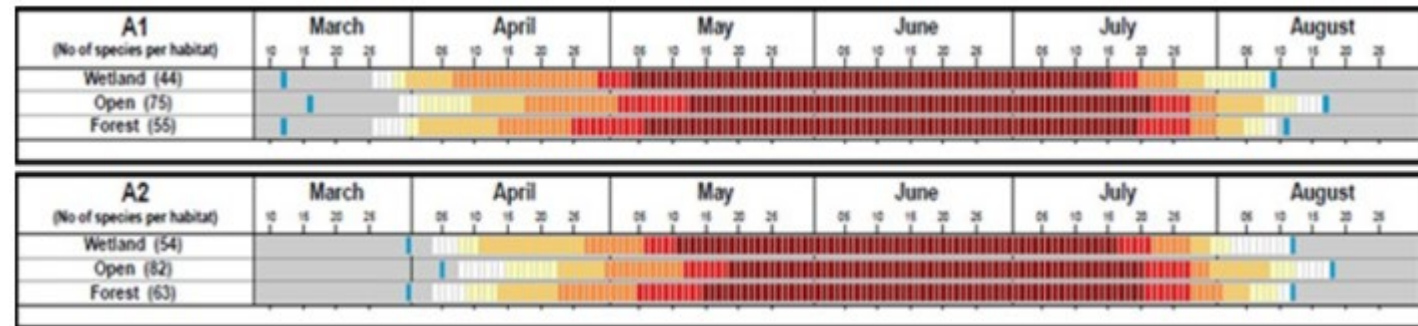
Species in the Seaward Business Area summary table:

- Great Blue Heron
- Pileated Woodpecker
- Barn Swallow
- Marbled Murrelet
- Bald Eagle
- Golden Eagle
- Peregrine Falcon
- Osprey

Nesting Calendars



The Seaward Business Area is mainly within the A1 nesting zone with some areas on the mainland coast in zone A2.



Legend for nesting calendars: Number of species predicted to be nesting as a percentage of the total number of species known to nest in the habitat type
(Blue markers show extreme dates predicted for some atypical parts of the nesting zone where nesting could be earlier or later)



Seaward Business Area Field Cards

Migratory Bird and Breeding Bird details are posted on the Environmental Management System and Sustainable Forest Management website:

[BC Timber Sales - Business Area Environmental Management System \(EMS\) and Sustainable Forest Management \(SFM\) - Province of British Columbia \(gov.bc.ca\)](http://www.gov.bc.ca/bctsa/bctsa-business-area-environmental-management-system-ems-and-sustainable-forest-management-sfm)

Seaward-tlsta (TST)

Environmental field procedures

- [EFP - 01 General \(PDF, 58KB\)](#)
- [EFP - 02 Project Supervision \(PDF, 125KB\)](#)
- [EFP - 03 Development and Planning \(PDF, 61KB\)](#)
- [EFP - 04 Roads Bridges and Culverts \(PDF, 75KB\)](#)
- [EFP - 05 Harvesting \(PDF, 46KB\)](#)
- [EFP - 06 Fuel Handling \(PDF, 368KB\)](#)
 - [Fuel Handling Pictorial \(PPTX, 3.6MB\)](#)
- [EFP - 07 Dryland Sort \(PDF, 102KB\)](#)
- [EFP - 08 Marine-Log-Handling-Facilities \(PDF, 29KB\)](#)

Training

- [TST LPC Training Matrix \(Table 008-1\) \(PDF, 185KB\)](#)
- [LPC Training Summary \(Table 008-1A \) \(DOCX, 45KB\)](#)
- [Mandatory training courses](#)

Species of Management Concern (SoMC)

- [TST SoMC Operator Awareness Sheet \(PDF, 935KB\)](#)
- [TST Species and Ecosystems of Management Concern Awareness Training \(ALL MPAD Staff\) \(PDF, 4.8MB\)](#)

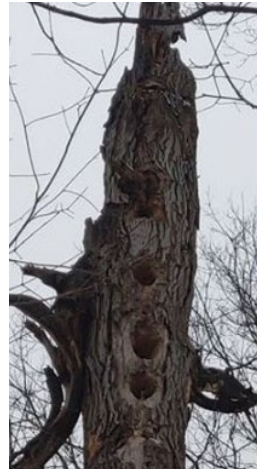
Migratory birds

- [TST Migratory Birds and Breeding Birds \(Supervisors\) \(PDF, 1.3MB\)](#)
- [TST Migratory Birds and Breeding Birds Nest Encounters Field Guide \(PDF, 930KB\)](#)
- [TST Migratory Birds and Breeding Birds \(ALL MPAD Staff\) \(PPTX, 13.6MB\)](#)

Pileated Woodpecker



Nesting cavities as shown above are protected.
Feeding and roosting cavities as shown below are not.



BCTS Pileated Woodpecker Field Card

Nesting Info:

- nesting cavities have smooth edges
- oval shaped 9X12cm in size
- >40cm dbh trees
- Often deciduous species
- At elevations <1200m

Pileated Woodpecker

If you find a potential Pileated Woodpecker nesting cavity record the location, take photos and report it to BCTS.



Primary Cavity Excavators Cavity entrance width (cm)	Preferred Trees		Nest Tree Minimum diameter (cm)	Secondary Cavity Users (examples) (- Number of species *)
	Conifers	Hardwoods		
Chickadees 3.5 cm ●	Spruce, Douglas-fir	Aspen, Birch, Red Alder	10	Chickadees** ~ 3
Nuthatches 3-4 cm ●	Ponderosa Pine, Douglas-fir		15	Nuthatches** ~ 6
Sapsuckers & Small Woodpeckers 4 cm ●	Western Larch, Western Hemlock, Spruce	Aspen, Cottonwood, Maple, Alder, Birch	25	Tree Swallow, House Wren, Keen's Mouse ~ 9
Hairy Woodpecker 4.5 cm ●	Douglas-fir, Western Hemlock, Spruce	Aspen, Birch, Alder	25	Flammulated Owl, Northern Pygmy-Owl, Northern Saw-whet Owl, Tree Swallow, Bluebird, Chipmunk ~ 16
Lewis's Woodpecker 6.2 cm ●	Ponderosa Pine, Douglas-fir		30	American Kestrel ~ 17
Northern Flicker 6.5 cm ●	Ponderosa Pine, Douglas-fir, Western Hemlock, Lodgepole Pine, Spruce	Aspen, Cottonwood, Birch	30	Bufflehead, Hooded Merganser, Western Screech-Owl, Squirrels ~ 21
Pileated Woodpecker 8-10 x 10-15 cm ●	Ponderosa Pine, Douglas-fir	Aspen, Cottonwood	40	Wood Duck, Common Goldeneye, Barrow's Goldeneye, Boreal Owl, Vaux's Swift, Hoary Bat, Silver-haired Bat

Potential management options:

- Retain the tree within a reserve area or through modified block design to exclude the feature. If the feature can be retained the nest does not need to be registered with Environment and Climate Change Canada.
- If the potential PIWO nesting cavity is located at a critical control point for road design, cannot be accommodated in a reserve area or is located near a road and is a safety concern the following steps are suggested:
 - Engage a professional to determine: 1) if the cavity is a Pileated Woodpecker nesting cavity, 2) the status of the cavity, e.g. active/occupied, and 3) management recommendations.

Two Bird Nest Case Studies



Two cavity nests were found on the underside of a log stringer bridge on the Ronning 600 FSR. The bridge was planned for replacement in the summer of 2024.

Two mossy cup nests were found on the underside of a log stringer bridge on RN210. The log that the nests were on was not removed during the bridge repair, but the nests were in the immediate work area.



What are the regulatory requirements associated with these nests?

None of these nests were identified before the work was initiated.

What do you do?

As per Environmental Field Procedure
– 01 GENERAL stop work →

As per the SOMC and AREC SOP →



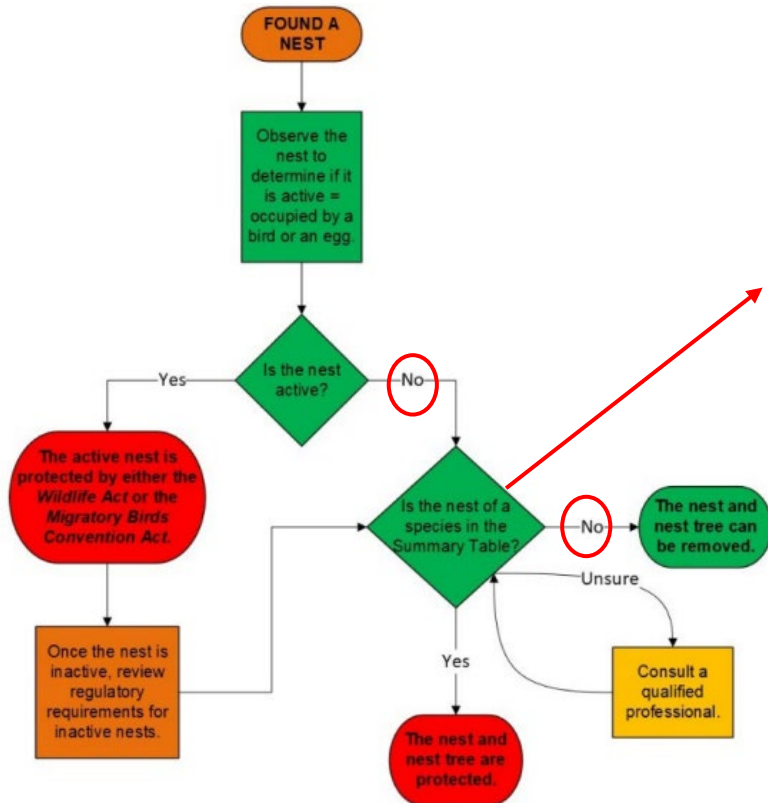
Stop Work – Contact Project Supervisor and BCTS Representative if:

- There is a hazardous material spill, uncontrolled fire or erosion/landslide event
- There is uncertainty about the project plan, the responsibilities or the location of hazardous or sensitive areas.
- A previously unidentified resource feature, resource value or sensitive area is found (e.g., species of management concern, bear den, wildlife habitat feature, culturally modified tree).
- Unfavourable weather or site conditions could cause environmental damage.
- Conditions have the potential for immediate environmental damage.
- There is reason to believe the project plan will not work.

For Primary Forest Activities (including Silviculture Activities) under BCTS Contract—If a previously unidentified SOMC, SOMC habitat feature or AREC is discovered, develop and implement a site-specific management protocol for the species or AREC using the species supplemental information, the draft BCTS Provincial AREC Management Guide or by consulting a qualified registered professional when deemed necessary by BCTS Practices Forester. Modify the 'works' contract if/as required to implement the associated protocol. ¶

Practices Forester /
RPBio / Eng. Tech. /
Silviculture Tech.
(Ops Tech) ¶

Bird Nest Case Study #1



Osprey



Bald Eagle



Golden Eagle



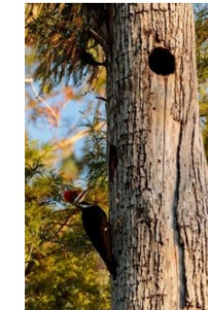
Barn Swallow



Marbled Murrelet



Peregrine Falcon

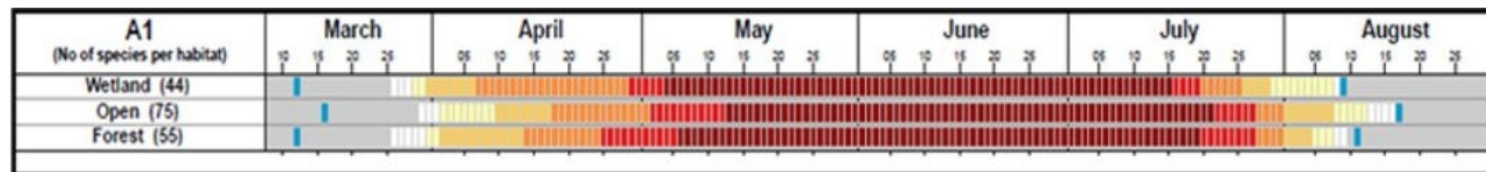


Pileated Woodpecker



Great Blue Heron

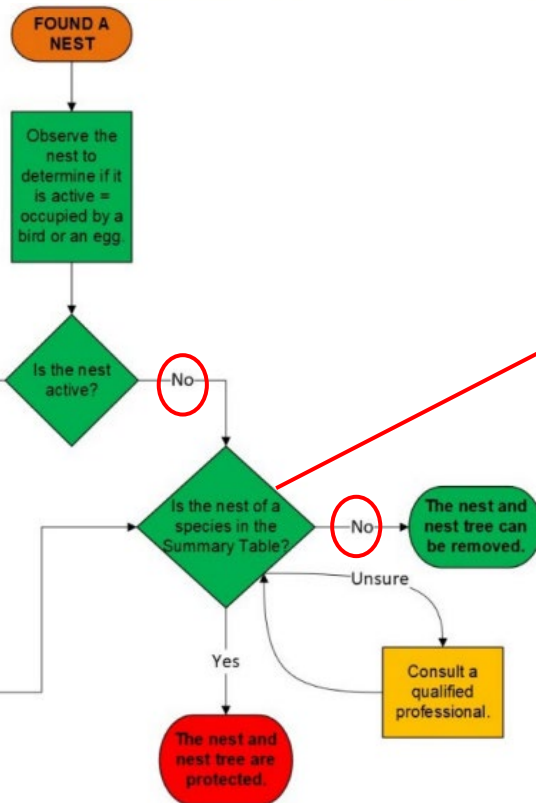
Likely a Brown Creeper, Red-breasted Nuthatch or Chestnut-backed Chickadee



Reduced Risk Work Windows for Fish and Wildlife for Vancouver Island

Location	Species	Reduced Risk Work Window	
		Start Date	Finish Date
Throughout	All Species*	June 15	September 15
Throughout	Steelhead	June 15	September 15
Throughout	Rainbow Trout	August 15	September 15
Throughout	Cutthroat Trout	August 15	September 15
Throughout	Dolly Varden	June 15	September 1
Throughout	Chinook	July 15	September 15
Throughout	Chum	May 15	September 15
Throughout	Coho	June 15	September 15
Throughout	Pink	May 1	August 15
Throughout	Sockeye	June 1	September 15
Throughout	Kokanee	June 1	September 15

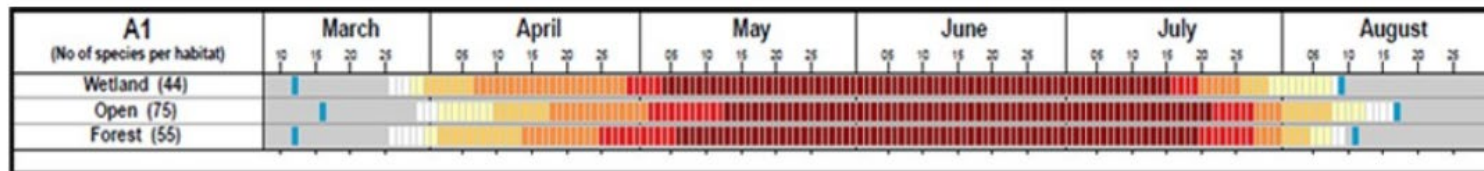
Bird Nest Case Study #2



Barn Swallow Nest (SARA)

Looks similar to a Barn Swallow nest but they usually have a supporting ledge and are constructed out of mud.

These nests appeared to be constructed of moss and twigs. Some uncertainty but the nests were not active and were not damaged by the work activities.



Reduced Risk Work Windows for Fish and Wildlife for Vancouver Island

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Throughout	Coho	June 15	September 15
Throughout	Pink	May 1	August 15
Throughout	Sockeye	June 1	September 15
Throughout	Kokanee	June 1	September 15

SUMMARY

- **ALL ACTIVE** bird nests are protected during all activities on all land tenures in BC.
- **ALL INACTIVE** bird nests that meet the following criteria are protected during all activities on all land tenures in BC:
 - species listed in Schedule 1 of the *Migratory Birds Regulations* - Great Blue Heron and Pileated Woodpecker
 - migratory birds listed as endangered, threatened, or extirpated on Schedule 1 of the *Species at Risk Act*, if nests are included in the definition of the residence for the species - Barn Swallow and Marbled Murrelet
 - species named in Section 34 of the *Wildlife Act* - Great Blue Heron, Bald Eagle, Golden Eagle, Peregrine Falcon and Osprey
- If nest removal is required, review all applicable provincial and federal regulations to determine if a permit or other conditions are required prior to nest removal.